

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEANNE MARIE CUNNINGHAM,
individually and as Administrator for the Estate
of Timothy A. Cunningham, deceased;

Plaintiff,

vs.

NEBRASKA METHODIST HEALTH
SYSTEM, INC. d/b/a Methodist Health
System, THE NEBRASKA METHODIST
HOSPITAL, PHYSICIANS CLINIC, INC.
d/b/a Methodist Physicians Clinic; JOHN M.
PARK, M.D., and JOHN AND JANE DOES 1-
10, agents, servants and employees of Nebraska
Methodist Health System, Inc. and/or The
Nebraska Methodist Hospital, whose real
names are unknown;

Defendants.

8:19CV477

ORDER TO SHOW CAUSE

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

Plaintiff filed the Complaint on October 30, 2019. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not filed any return of service indicating service on the defendants, a waiver of service has not been filed, the defendants have not entered voluntary appearances, and Plaintiff has not requested an extension of time to complete service. Accordingly,

IT IS ORDERED that Plaintiff shall have until **February 24, 2020**, to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 3rd day of February, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge